

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO: 10-143</b>
<b>v.</b>	*	<b>SECTION: "N"</b>
<b>JAMES A. WALKER, JR.</b>	*	<b>VIOLATION: 18 U.S.C. § 2252(a)(2)</b>
	*	<b>18 U.S.C. § 2253</b>
	*	
	*	
	*	

**FACTUAL BASIS**

Should this matter proceed to trial, both the government and the defendant, **JAMES A. WALKER, JR.**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the Indictment, the defendant, **JAMES A. WALKER, JR.**, was a resident of the Eastern District of Louisiana, living in Covington, Louisiana.

The government would present evidence and testimony that Special Agents from the U. S. Department of Homeland Security Immigration and Customs Enforcement (ICE) received information that **JAMES WALKER** had purchased access to child pornography websites. On or

about May 14, 2009, ICE agents conducted a consensual interview of the defendant at his home located at 76503 Jay Normand Drive, Covington, Louisiana. Agents would testify that during their interview, the defendant provided written consent to allow the agents to search his computers. The agents recovered two computers, one of which was found to contain images of child pornography.

The government would establish through testimony and documentary evidence that **WALKER** knowingly used his computer to search for, download, and save images of child pornography. Specifically, the government would introduce records that **WALKER** subscribed to websites that contained child pornography and that he knowingly received and possessed images of child pornography. Further, the evidence and testimony would establish that a forensic search of **WALKER's** computer media revealed approximately 170 images depicting the sexual victimization of children.

Further, the government would introduce post-*Miranda* statements of the defendant wherein **WALKER** admitted to federal agents that he knowingly purchased access to child pornography websites and that he downloaded and saved images of child pornography. According to **WALKER**, he had paid for access to websites offering child pornography. **WALKER** told investigators that they would find child pornographic images on his computers. **WALKER** said he used his PayPal account to pay for access to child pornography websites. When asked by agents if he knew that receipt and possession of child pornography was illegal, **WALKER** responded "of course I did."

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by **WALKER** were of real, identifiable victims, less than the age of eighteen (18) at the time the child pornography was created.

Testimony would establish that some of the child victims depicted in the materials possessed by **JAMES WALKER** were of prepubescent children less than 18 years of age; to wit: less than twelve (12) years old and that the images of the child victims were engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256. All of the images of child pornography possessed by the defendant would be introduced through the testimony of ICE agents.

Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.

Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire the child pornography was transported in interstate or foreign commerce.

---

JAMES A. WALKER, JR.  
Defendant

---

DATE

---

JOHN LINDNER  
Counsel for Defendant

---

DATE

---

BRIAN M. KLEBBA  
Assistant United States Attorney

---

DATE